

RESOLUTIONS ADOPTED AND DECISIONS TAKEN BY THE SECURITY COUNCIL in 1970

Part I. Questions considered by the Security Council under its responsibility for the maintenance of international peace and security

THE SITUATION IN NAMIBIA¹

Decisions

At its 1527th meeting, on 28 January 1970, the Council decided to invite the President of the United Nations Council for Namibia to participate, without vote, in the discussion of the item entitled "The situation in Namibia: letter dated 26 January 1970 addressed to the President of the Security Council from the representatives of Afghanistan, Algeria, Burundi, Cambodia, Ceylon, Chad, the Congo (Democratic Republic of), Cyprus, Dahomey, Ethiopia, Gabon, Guinea, India, Indonesia, Iran, Iraq, Japan, Jordan, Kenya, Kuwait, Laos, Lebanon, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Morocco, Nepal, the Niger, Nigeria, Pakistan, the People's Republic of the Congo, the Philippines, Rwanda, Senegal, Sierra Leone, Singapore, Somalia, Southern Yemen, the Sudan, Syria, Thailand, Togo, Tunisia, Turkey, Uganda, the United Arab Republic, the United Republic of Tanzania, the Upper Volta, Yugoslavia and Zambia (S/9616 and Add.1)."²

At its 1529th meeting, on 30 January 1970, the Council decided to invite the representatives of India and Pakistan to participate, without vote, in the discussion of the question.

¹ Resolutions or decisions on this question were also adopted in 1968 and 1969.

² On 28 January 1970, Ghana and Yemen were added to the list of signatories of the present letter (S/9616/Add.2), and on 29 January 1970, Cameroon was added (S/9616/Add.3): see *Official Records of the Security Council, Twenty-fifth Year, Supplement for January, February and March 1970*.

Resolution 276 (1970)

of 30 January 1970

The Security Council,

Reaffirming the inalienable right of the people of Namibia to freedom and independence recognized in General Assembly resolution 1514 (XV) of 14 December 1960,

Reaffirming General Assembly resolution 2145 (XXI) of 27 October 1966, by which the United Nations decided that the Mandate for South West Africa was terminated and assumed direct responsibility for the Territory until its independence,

Reaffirming Security Council resolution 264 (1969) of 20 March 1969 in which the Council recognized the termination of the Mandate and called upon the Government of South Africa to withdraw immediately its administration from the Territory,

Reaffirming that the extension and enforcement of South African laws in the Territory together with the continued detentions, trials and subsequent sentencing of Namibians by the Government of South Africa constitute illegal acts and flagrant violations of the rights of the Namibians concerned, the Universal Declaration of Human Rights and the international status of the Territory, now under direct United Nations responsibility,

Recalling Security Council resolution 269 (1969) of 12 August 1969,

1. *Strongly condemns* the refusal of the Government of South Africa to comply with the resolutions

of the General Assembly and Security Council pertaining to Namibia;

2. *Declares* that the continued presence of the South African authorities in Namibia is illegal and that consequently all acts taken by the Government of South Africa on behalf of or concerning Namibia after the termination of the Mandate are illegal and invalid;

3. *Declares further* that the defiant attitude of the Government of South Africa towards the Council's decisions undermines the authority of the United Nations;

4. *Considers* that the continued occupation of Namibia by the Government of South Africa in defiance of the relevant United Nations resolutions and of the Charter of the United Nations has grave consequences for the rights and interests of the people of Namibia;

5. *Calls upon* all States, particularly those which have economic and other interests in Namibia, to refrain from any dealings with the Government of South Africa which are inconsistent with paragraph 2 of the present resolution;

6. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, an *Ad Hoc* Sub-Committee of the Council to study, in consultation with the Secretary-General, ways and means by which the relevant resolutions of the Council, including the present resolution, can be effectively implemented in accordance with the appropriate provisions of the Charter, in the light of the flagrant refusal of South Africa to withdraw from Namibia, and to submit its recommendations by 30 April 1970;

7. *Requests* all States, as well as the specialized agencies and other relevant organs of the United Nations, to give the Sub-Committee all the information and other assistance it may require in pursuance of the present resolution;

8. *Further requests* the Secretary-General to give every assistance to the Sub-Committee in the performance of its task;

9. *Decides* to resume consideration of the question of Namibia as soon as the recommendations of the Sub-Committee have been made available.

Adopted at the 1529th meeting by 13 votes to none, with 2 abstentions (France, United Kingdom of Great Britain and Northern Ireland).

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In connexion with the implementation of the above resolution, the President of the Security Council announced, in notes circulated as Security Council documents, the following measures which had been approved by the Council:

On 30 January 1970, the President issued a note^a stating that, after consultations among all the mem-

^a See *Official Records of the Security Council, Twenty-fifth Year, Supplement for January, February and March 1970*, document S/9632.

bers of the Council, it was decided that the *Ad Hoc* Sub-Committee established in pursuance of Security Council resolution 276 (1970) would be composed of all the members of the Council.

On 15 May 1970, the President issued a note⁴ stating that, after consultations with all the members of the Council, they had taken note of the interim report⁵ submitted by the *Ad Hoc* Sub-Committee established in pursuance of Security Council resolution 276 (1970) and it was agreed that the Sub-Committee would continue its work in accordance with its terms of reference in order to be in a position to formulate its recommendations to the Council by the end of June 1970 at the latest.

Decision

At its 1550th meeting, on 29 July 1970, the Council, following the adoption of its agenda, proceeded with the discussion of the item entitled:

"The situation in Namibia:

"(a) Report of the *Ad Hoc* Sub-Committee established in pursuance of Security Council resolution 276 (1970) (S/9863);⁶

"(b) Letter dated 22 July 1970 from the Permanent Representatives of Burundi, Finland, Nepal, Sierra Leone and Zambia to the United Nations addressed to the President of the Security Council (S/9886)."⁷

Resolution 283 (1970) of 29 July 1970

The Security Council,

Reaffirming once more the inalienable right of the people of Namibia to freedom and independence recognized in General Assembly resolution 1514 (XV) of 14 December 1960,

Reaffirming Security Council resolutions 264 (1969) of 20 March 1969 and 276 (1970) of 30 January 1970 in which the Council recognized the decision of the General Assembly to terminate the Mandate for South West Africa and assume direct responsibility for the Territory until its independence and in which the continued presence of the South African authorities in Namibia, as well as all acts taken by that Government on behalf of or concerning Namibia after the termination of the Mandate, were declared illegal and invalid,

Recalling its resolution 269 (1969) of 12 August 1969,

Noting with great concern the continued flagrant refusal of the Government of South Africa to comply with the decisions of the Security Council demanding

⁴ *Ibid.*, Supplement for April, May and June 1970, document S/9803.

⁵ *Ibid.*, document S/9771.

⁶ *Ibid.*, Supplement for July, August and September 1970.